

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.14958 OF 2007

Dated: 13-07-2007

Between :

1. Tiyyala Mallika Devi and 2 others. ... Petitioners

And

1. The Commissioner of Endowments, Government of
Andhra Pradesh, Boggulakunta, Hyderabad.,
And 3 others. ... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.14958 OF 2007

ORDER:

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This writ petition is filed seeking a declaration that the alleged action of the respondents in interfering with the possession of the petitioners in respect of the premises bearing Door No.23-14-25 situated in Sy.No.119/1 of Tiyyalavari House, Tiyyalavari Street, Kurupam Market, Visakhapatnam as arbitrary and illegal.

Heard the learned Counsel for the petitioners and perused the material on record

From the averments made in the affidavit filed in support of the writ petition itself, it is clear that all the allegations are against the 4th respondent, an individual and one S. Srinivasa Rao who is said to be an ex-Executive Officer of the Market Committee and that the dispute, if any, relates to property rights between private persons. On the face of it, the matter does not involve enforcement of any statutory obligation on the part of the respondents. Hence, it is not open to the petitioners to seek a Writ of Mandamus under Article 226 of the Constitution of India.

Accordingly, granting leave and liberty to the petitioners to work out the appropriate common law remedy for redressal of their grievance, if any, the Writ Petition is disposed of. No costs.

G. ROHINI, J.

DT. 13-07-2007

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Note:- CC in 3 days.

